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Re: Application Serial No.: 09/578,312  
Confirmation No.: 5731  
Art Unit: 3628 (Examiner Debra F. Charles)  
Appellants: Jay Paul Drummond, et al.  
Title: Automated Banking Machine  
System with Multiple Browsers  
Docket No.: D-1077+16

Sir:

Please find enclosed the Supplemental Appeal Brief of Appellants pursuant to 37 C.F.R. § 1.192 in triplicate, in response to the Action dated February 24, 2004, for filing in the above-referenced application.

No fee is deemed required. However, the Commissioner is authorized to charge any necessary fee associated with the filing of the Supplemental Appeal Brief and any other fee due to Deposit Account 09-0428.

Very truly yours,

Ralph E. Jocke  
Reg. No. 31,029

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Ralph E. Jocke  
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rej@walkerandjocke.com  
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D-1077+16

GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: )  
    **Jay Paul Drummond, et al.**     )  
  )  
Serial No.: **09/578,312**             )     Art Unit 3628  
  )  
Confirmation No.: **5731**             )  
  )  
Filed:       **May 25, 2000**             )     Patent Examiner  
  )     Debra F. Charles  
Title:       **Automated Banking Machine**     )  
  )  
  System with Multiple Browsers     )

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL BRIEF OF APPELLANTS  
PURSUANT TO 37 C.F.R. § 1.192**

Sir:

The Appellants hereby request reinstatement of the appeal pursuant to 37 C.F.R. § 1.193(b)(2). The Appellants hereby submit their Supplemental Appeal Brief pursuant to 37 C.F.R. § 1.192, in triplicate, concerning the above-referenced Application.

## **REAL PARTY IN INTEREST**

The Assignee of all right, title and interest to the above-referenced Application is Diebold, Incorporated, an Ohio corporation.

## **RELATED APPEALS AND INTERFERENCES**

Appellants believe that there are no related appeals or interferences pertaining to this matter.

## **STATUS OF CLAIMS**

Claims 1-45 are pending in the Application.

Claims 1-4, 11-13, 17, and 19-27 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Semple, et al. (U.S. 6,085,177) in view of Sigona, et al. (US 5,694,150), hereinafter "Semple" and "Sigona."

Claims 5 and 28-30 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona and Jheeta (US 5,619,558).

Claims 14-16 and 18 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona and Bertram, et al. (US 6,049,812; hereinafter "Bertram").

Claims 6-10 and 31-32 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona, Murphy, Jr. et al. (US 6,049,820; hereinafter "Murphy"), and Bertram.

Claim 33 was rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Grant, et al. (US 4,660,168; hereinafter "Grant") in view of Mark Leon, "TP-monitor vendors spin Web features," InfoWorld, July 1, 1996 (hereinafter "Leon").

Claims 34-45 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Grant in view of Leon and LaStrange, et al. (US 5,784,058; hereinafter "LaStrange").

These rejections were the only rejections present in the Office Action ("Action") dated February 24, 2004. Appellants appeal each claim rejection, inclusive.

## **STATUS OF AMENDMENTS**

No final rejection is pending. Prosecution was reopened in response to Appellants' Appeal Brief filed November 14, 2003. Therefore, no amendments to the claims were requested to be admitted after a final rejection.

Appellants acknowledge the Office's admission by implication that previously appealed rejections have been withdrawn because of arguments presented in the Appeal Brief filed November 14, 2003. As shown in more detail herein, Appellants' claims are also allowable over the pending new grounds of rejection. Thus, Appellants respectfully request reinstatement of their appeal pursuant to 37 C.F.R. § 1.193(b)(2).

Furthermore, in light of the Office's reopening of prosecution after the filing of an Appeal Brief, Appellants reserve the right to further expound on the issues and address the rejections after an Examiner's Answer has actually been written. That is, until the drifting cloud of prosecution rejections and reopenings has passed, it would be unreasonable (and an undue burden) to expect Appellants to explain the issues in fine detail. Appellants will address the

arguments presented in the Examiner's Answer in their Reply Brief. Regardless, Appellants provide sufficient reasons herein why the pending claims are allowable.

## SUMMARY OF INVENTION

### Overview of an exemplary form of the Invention

An exemplary form of the invention is directed to an ATM including transaction function devices (36) in operative connection with a computer. Examples of the transaction function devices include a card reader/writer mechanism (38), currency sheet dispenser mechanism (42), depository (44), receipt printer (46), and journal printer (48).

A plurality of software browsers operate in the computer for purposes of processing instructions in mark up language documents, such as HTML documents. Some browsers have the capability to both process instructions for operating ATM transaction function devices (36) and process instructions for providing outputs (198, 200, 202, 204, 206) that can be perceived by ATM customers. Other browsers may be more dedicated to particular functions. Some browsers may be dedicated to processing document instructions for only operating transaction function devices (36), and not for providing outputs that may be perceived by customers of the ATM. For example, a browser which does not produce an output that is visible on a display screen may instead process documents which produce non visible outputs that are operative to cause a printer (46) to produce a printed document. Other browsers may be dedicated to only providing visible outputs (198, 200, 202, 204, 206) which can be perceived by customers operating the ATM. Browsers capable of providing visual outputs may be operated simultaneously to process

documents and provide simultaneous outputs (e.g., Figures 32) to the customer. Thus, a plurality of instances of at least one browser can simultaneously operate in the ATM.

Many variations of browsers are possible (e.g., Figures 32 through 35). In the exemplary embodiment represented in Figure 32 an ATM has operating therein five browsers capable of providing five visible outputs (198, 200, 202, 204, 206) on the display screen (196) of the ATM. Each of the browsers produces a visible output. Each of the five browsers is capable of processing documents and communicating with network addresses.

In the exemplary embodiment of Figure 32 all five browsers are operated to process documents, although they may not all simultaneously provide visible outputs. Initially only the output (198) from the main browser is made visible. The outputs produced by other browsers are made visible using a “show” method which identifies the browser output size. This is done in response to show and size instructions included in processed documents, such as HTML documents. The output of the main browser is resized automatically to fill any remaining visible space on the screen (196) not currently occupied by the outputs of the other browsers. In this embodiment the top and bottom browsers (when activated for visible output) occupy the entire width of the screen, while the left and right browsers occupy the space between the top and bottom browser outputs, if visible.

The multiple visible browsers permit multiple simultaneous visible outputs based on different documents accessed at different network addresses. They also enable making outputs produced from documents visible on the screen (196) at various selected points in a transaction sequence. The capabilities are useful in presenting advertising or promotional materials to ATM customers during a transaction. The ATM can also beneficially simultaneously display screen

messages in different languages. The operation of multiple browsers also permits an ATM to conduct simultaneous transaction types. For example, an ATM customer can acquire goods or services in a second transaction (e.g., a purchase transaction) through documents processed by a second browser while a first transaction (e.g., a banking transaction) is already in progress via documents processed by a first browser.

## **CONCISE STATEMENT OF THE ISSUES PRESENTED FOR REVIEW**

The questions presented in this appeal are:

- 1). Whether Appellant's claims 1-4, 11-13, 17, and 19-27 are unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona.
- 2). Whether Appellant's claims 5 and 28-30 are unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona and Jheeta.
- 3). Whether Appellant's claims 14-16 and 18 are unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona and Bertram.
- 4). Whether Appellant's claims 6-10 and 31-32 are unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona, Murphy, and Bertram.
- 5). Whether Appellant's claim 33 is unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Grant in view of Leon.
- 6). Whether Appellant's claims 34-45 are unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Grant in view of Leon and LaStrange.

## **GROUPING OF CLAIMS**

No groups of claims stand or fall together. Reasons are provided in the Argument section herein. The arguments presented hereafter provide reasons why each of the claims is separately patentable. Appellants present for each respective separate claim a corresponding respective separate argument as to why the claim is patentable over the rejection applied thereto. Reasons are provided how each claim recites additional features of the invention which distinguishes the claim over every other pending claim. Reasons are further provided how each of the claims recites at least one element, combination of elements, or step not found or suggested in the applied references, which patentably distinguishes each claim.

The pending claims include five independent claims (claims 1, 12, 22, 33, and 35). Claims 2-11 and 21 depend from independent claim 1. Claims 13-20 depend from independent claim 12. Claims 23-32 depend from independent claim 22. Claim 34 depends from independent claim 33. Claims 36-45 depend from independent claim 35. All pending claims are reproduced in the Appendix.

## **ARGUMENT**

### The Applicable Legal Standards

Before a claim may be rejected on the basis of obviousness pursuant to 35 U.S.C. § 103, the Patent Office bears the burden of establishing that all the recited features of the claim are known in the prior art. This is known as *prima facie* obviousness. To establish *prima facie* obviousness, it must be shown that all the elements and relationships recited in the claim are known in the prior art. If the Office does not produce a *prima facie* case, then the Appellants are

under no obligation to submit evidence of nonobviousness. MPEP § 2142 (Eighth Edition, August 2001; Rev. 1, Feb. 2003).

The teaching, suggestion, or motivation to combine the features in prior art references must be clearly and particularly identified in such prior art to support a rejection on the basis of obviousness. It is not sufficient to offer a broad range of sources and make conclusory statements. *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

Even if all of the features recited in the claim are known in the prior art, it is still not proper to reject a claim on the basis of obviousness unless there is a specific teaching, suggestion, or motivation in the prior art to produce the claimed combination. *Panduit Corp. v. Denison Mfg. Co.*, 810 F.2d 1561, 1568, 1 USPQ2d 1593 (Fed. Cir. 1987). *In re Newell*, 891 F.2d 899, 901, 902, 13 USPQ2d 1248, 1250 (Fed. Cir. 1989).

The evidence of record must teach or suggest the recited features to present a valid rejection. An assertion of basic knowledge and common sense not based on any evidence in the record lacks substantial evidence support. *In re Zurko*, 258 F.3d 1379, 59 USPQ2d 1693 (Fed. Cir. 2001).

A determination of patentability must be based on evidence of record. *In re Lee*, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002).

It is respectfully submitted that the Action from which this appeal is taken does not meet these burdens.

### The Semple Reference

Semple is directed to providing Internet access using an ATM system (210). The ATM system (210) is a modified ATM (col. 2, lines 64-66) made to act as an Internet "port" (col. 1, lines 19, 54, and 65; col. 2, lines 2, 4, and 53) to provide separate Web access capability. A user can press a "Web access" key (230) to access the Internet (214) to surf the Internet (col. 6, lines 10-12). Semple desires that users access geographic information (col. 1, lines 17, 31, 49-50; col. 2, lines 8-9). For example, a user can access the Web to acquire location information, such as map information (col. 4, lines 61-67).

### The Sigona Reference

Sigona is directed to a multiple screen display driver system which provides a multi-user environment on displayed portions (17, 19, 21, 23) of a large virtual image space (e.g., Figure 4; col. 8, lines 10-36). A control program processes events related to a plurality of user inputs representing different locations within the virtual display space. A first mode permits the plurality of user inputs to interact, allowing an object in the virtual display space at a first location specified by an initial user input to be associated with a second location specified by a concurrent and subsequently terminating user input. A second mode processes a series of events related to a first user input without apparent functional interference with a concurrent series of events related to a second user input.

### **The Jheeta Reference**

Jheeta is directed to an ATM (14) that is operative to dispense to a customer a receipt (18) containing a transaction record, a promotion, and a telephone number for redeeming the promotion by the customer. When the customer calls the telephone number, a telephonic survey (28) is conducted and includes questions relating to products and services offered by a marketeer. Answers to the survey questions are stored in a customer profile in a computer database (30). The customer profile is used to generate a target message specific to the customer which offers a specific product or service from the marketeer based on the stored customer profile. The target message is then sent to the specific customer.

### **The Bertram Reference**

Bertram is directed to a single browser that is operative to maintain multiple, concurrently active URLs within "marked tabs" (13) (Figure 4). This enables the browser to provide the functional emulation of a desktop working environment to the user.

### **The Murphy Reference**

Murphy is directed to an Internet system having a plurality of applications (100, 102, 104), a plurality of servers (110, 112, 114), and a plurality of client computers, each with a browser (120, 122, 124). At least one of the servers is a master server (110) work station gateway owning a well-known port, and the other servers (114) are slave servers supporting established web browser-to-application state sessions (124 to 104). Dynamic session

authentication checking is done by the server (110-114) to prevent the occurrence of screen spoofing by providing authentication keys which are unique to each session and each panel.

### The Grant Reference

Grant is directed to an ATM arrangement including peripheral devices (e.g., card handler mechanism, printer mechanism, cash dispenser mechanism, and depository mechanism). Each peripheral device includes a dedicated processor for controlling operation of the device. The ATM also includes a control unit (50) able to cause simultaneous real time operation of the various devices. Parallel activity of peripheral devices can reduce the time to complete a transaction.

### The Leon Article

Leon is directed to a TP monitor called "Top End." It is well known that a "TP" monitor is an abbreviation for a "transaction processing" monitor. A plethora of information on TP monitors is available, including information which may be found via the Internet. A TP monitor is a program that monitors or tracks a transaction as it passes from one stage in a process to another, including across different computer systems. The TP monitor can provide transaction and data integrity by ensuring that each tracked system transaction gets processed to completion or is otherwise completely rolled back. Thus, for example, a TP monitor can make sure that groups of updates that are supposed to take place together actually do all take place, or otherwise none take place. A TP monitor may also be useful in balancing system loads and in recovery from system failures. For example, a TP monitor may be used to monitor whether a message

sent from a sending application program was successfully transmitted and received by a receiving application. In the event of a failure as determined by the TP monitor, the failed message can be either resent or switched over to a process on another node.

Leon teaches that Top End is "middleware" software that lets users deploy point-of-sale applications. Top End is apparently applicable to tracking transactions conducted using credit cards at ATMs and electronic cash registers to be sure they are properly processed. A Web-specific version of Top End newly written at the time of the article has client code written as a set of Java class libraries. The Java client running in the cash register or ATM downloads the transaction data by establishing a direct link to a Web browser that runs at the Top End remote back-end system. The back-end system records and stores the data about the transactions. In this way, the client directly connects to the Top End back office (away from the cash register or ATM) through a (TCP/IP) connection. The Top End client can send transaction data from the cash register or ATM to the remote back-end system (which charges the customer's account for the transaction) to reduce the risk that the transaction is not properly processed.

### **The LaStrange Reference**

LaStrange is directed to a user control mechanism (52) for selectively retaining for display a document obtained from a network. The user control is located as an icon or symbol (52) in the browser interface for ease of use. Subsequent documents which are downloaded from the network are displayed in a separate window (60) of the display (26) in the computing system, and these subsequent windows are also provided with the same user control mechanism (52). A user can selectively create a second browser display page (60) by following a link (54) contained

in the first browser display page (40) without overwriting the contents of the first browser display page.

**(iii) 35 U.S.C. § 103**

Appellants traverse the rejections. The Appellants respectfully submit that the attempts to combine the teachings of the references are clearly attempts at hindsight reconstruction of Appellants' claimed invention, which is legally impermissible and does not constitute a valid basis for a finding of obviousness. *In re Fritch*, 22 USPQ2d 1780 (Fed. Cir. 1992). The rejections, which lack the necessary evidence and rationale, are based on knowledge gleaned only from Appellants' disclosure. There is no teaching, suggestion, or motivation cited so as to produce Appellants' invention. Furthermore, without a motivation to combine, which is the current situation, a rejection based on a *prima facie* case of obviousness is improper (MPEP § 2143.01). The Office does not factually support any *prima facie* conclusion of obviousness. None of the references, taken alone or in combination, teach or suggest the features and relationships that are specifically recited in the claims. It would not have been obvious to one having ordinary skill in the art to have modified the references in the manner alleged to have produced the recited invention. Thus, it is respectfully submitted that the 35 U.S.C. § 103(a) rejections are improper and should be withdrawn.

**The Pending Claims Are Not Obvious Over  
Semple in view of Sigona**

Claims 1-4, 11-13, 17, and 19-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona. These rejections are respectfully traversed.

**Claim 1**

Claim 1 is an independent claim which is specifically directed to an apparatus which comprises an automated banking machine. The automated banking machine includes a computer and at least one transaction function device in operative connection with the computer. The automated banking machine further includes a plurality of browsers operating in the computer. The computer is operative to cause a transaction function device to operate responsive to instructions in at least one document processed by at least one of the browsers.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest the recited features and relationships. The Action (on page 3, last paragraph) admits that Semple does not teach or suggest the recited plurality of browsers.

Appellants respectfully submit that Semple lacks more of the recited features than the Action admits, as discussed in more detail hereinafter. For example, where does Semple teach or suggest the capability to cause a transaction function device to operate responsive to instructions in at least one document processed by at least one automated banking machine browser, as alleged? None of the relied upon sections (i.e., Abstract; col. 2, lines 60-67; col. 3, lines 1-30 and 50-55; col. 4, lines 25-67) of Semple teach or suggest the recited capability.

The Action states that Semple has an ATM including a cash dispenser as a transaction function device. However, where does Semple link cash dispenser operation to document

instructions, especially instructions from a document processed by an ATM browser? Semple does not teach or suggest that cash dispensing is dependent on processing a document with an ATM browser. If Semple could use the web to perform cash dispensing operations, then why is a separate Web Access key (230) required?

There is no teaching or suggestion that Semple has an ATM with multiple cash dispensing control systems. Rather, contrary to the Action's allegations, accessing the web through Semple's ATM would appear to prevent the ability to cause (following a cash request) any operation of a cash dispenser, especially operation of a (transactions side) cash dispenser in response to a (web side) document. The Action does not rely on Sigona for these additional (non-admitted) features that Semple does not teach or suggest. Nor does Sigona teach or suggest these features. It follows that neither Semple nor Sigona teach or suggest these additional features.

The Action relies on Sigona for the features admitted as absent in Semple. As previously mentioned, the Action (on page 3, last paragraph) admits that Semple does not teach or suggest a plurality of browsers. The Action alleges that Sigona discloses "multiple browsers open to accept input and one HTML document able to process user input." The Action further alleges that it would have been obvious to modify Semple with the teachings of Sigona to use "multiple browser windows to process transactions." The Appellants respectfully disagree.

The relied upon sections of Sigona (col. 5, lines 50-67; and col. 6, lines 45-65), as well as Sigona taken in its entirety, fails to teach or suggest the recited features. Sigona cannot alleviate the deficiencies of Semple as it does not teach or suggest the recited features which are not found

in Semple. The Action's assertions are not based on any evidence in the record. *In re Zurko*, supra. *In re Lee*, supra.

Sigona is directed to virtual displaying and allowing multiple user inputs to act in concert. Sigona discloses a multiple screen display driver system which provides a multi-user environment on displayed portions of a large virtual image space. Sigona does not teach or suggest an automated banking machine; an automated banking machine with a transaction function device; a browser capable of processing document instructions; or a plurality of operating browsers in the manner recited. Sigona is non analogous to both an automated banking machine and a browser capable of processing document instructions. Sigona is non analogous art. Where does Sigona teach, suggest, or even mention a browser, especially a browser capable of processing document instructions? The Appellants respectfully submit that a "browser" has well known meaning in the art. Appellants' Specification also provides support for "browser." For example, Specification page 4, at lines 5-6, states that "Mark up language documents such as HTML documents are processed or read through use of a computer program referred to as a 'browser'." If Sigona does not teach or suggest any browser, then how can a combination of its features with Semple alleviate the admitted deficiency of a "plurality of browsers" in Semple? That is, if Sigona does not teach or suggest any browser, then how can it be relied upon for the admittedly absent "plurality of browsers" in Semple?

As previously discussed, Sigona does not teach or suggest a browser. Sigona also does not teach or suggest "a plurality of browsers." Although Sigona discloses a system with multiple display devices, Sigona does not disclose or suggest a plurality of browsers, especially browsers that are operative to process at least one document. It follows that Sigona does not teach or

suggest "a plurality of browsers operating in the computer." It further follows that Sigona does not teach or suggest a browser that can process instructions in at least one document. Nor does Sigona teach or suggest a computer that is operative to cause a device to operate responsive to browser processed instructions.

Sigona also does not teach a banking machine transaction function device that is operative responsive to at least one document processed by at least one of a plurality of browsers. It follows that Sigona does not teach or suggest a computer that is "operative to cause a transaction function device to operate responsive to instructions in at least one document processed by at least one of the browsers." Sigona does not teach or suggest the recited features, including both those recited features admitted by the Office as being absent in Semple, and those previously discussed additional non-admitted features. Neither Semple nor Sigona link transaction function device operation to browser processed document instructions, especially in relation with an automated banking machine. Thus, the Office has not established a *prima facie* showing of obviousness.

Although Semple discloses an ATM, neither Semple nor Sigona, taken alone or in combination, teach or suggest an automated banking machine (having at least one transaction function device) that includes a "plurality of browsers" operating in a computer of the automated banking machine. Furthermore, neither reference includes any suggestion, teaching, or motivation to modify the ATM of Semple to include a plurality of browsers. Nor do the references include any suggestion, teaching, or motivation to modify the ATM of Semple to operate a transaction function device "responsive to" instructions in one or more documents processed by one or more browsers.

The Action is also silent as to how the system of Semple could be modified by the teachings of Sigona to achieve the recited apparatus. Nor has any evidence been presented that Semple's ATM is structurally and functionally capable of being modified as set forth by the alleged teaching of Sigona, especially to produce the recited apparatus. Nor is there any teaching or suggestion that Semple's ATM needs multiple browsers or documents with instructions causing transaction function device operation.

The alleged modifications to Semple would destroy the desired and disclosed structure and utility of the Semple teaching. However, an obviousness rejection cannot be based on a combination of features if making the combination would result (which is the current situation) in destroying the utility of the device shown in the prior art references. Note *In re Fine*, 5 USPQ2d 1598-99 (Fed. Cir. 1988).

The Appellants respectfully submit that the attempts to combine the teachings of the references are clearly attempts at hindsight reconstruction of Appellants' claimed invention, which is legally impermissible and does not constitute a valid basis for a finding of obviousness. The rejections, which lack the necessary evidence and rationale, are based on knowledge gleaned only from Appellants' disclosure. *In re Fritch*, supra. The Action's lack of valid motivation on any prior art basis to combine the references further renders the rejection improper.

As previously discussed, Sigona does not teach or suggest the admitted and previously discussed deficiencies in Semple. Because the Action has failed to show that all of the elements and relationships recited in the claim are known in the prior art, the Office has not met its burden of establishing *prima facie* obviousness. That is, the Office does not factually support any *prima facie* conclusion of obviousness. Further, even if it were somehow possible for all of the features

recited in the claim to have been found in the prior art, it is still not proper to reject a claim on the basis of obviousness unless there is a specific teaching, suggestion, or motivation in the prior art to produce the claimed combination. The Action has also failed to clearly and particularly identify the required teaching, suggestion, or motivation to combine the features in the prior art references of Semple and Sigona to support a rejection on the basis of obviousness. Again, the Office has not established a *prima facie* showing of obviousness.

Nevertheless, modification of Semple (if somehow possible) with the virtual display teaching of Sigona would not have resulted in the recited apparatus. Thus, it further would not have been obvious to one having ordinary skill in the art to have modified Semple with the teachings of Sigona to have produced the recited apparatus.

As previously discussed, the references do not teach or suggest a "plurality of browsers" operating in a computer of an automated banking machine. Further, the references do not teach or suggest an automated banking machine having the ability to cause a transaction function device to operate "responsive to" document instructions processed by at least one of the "plurality of browsers." It follows that the references, taken alone or in combination, do not teach or suggest an automated banking machine computer (having a plurality of browsers) that is operative to cause a transaction function device to operate responsive to instructions in at least one document processed by at least one of the browsers in the computer. It further follows that the references do not teach or suggest the recited automated banking machine.

As nothing in the cited art teaches or suggests the features and relationships that are specifically recited in claim 1, and because there is no teaching, suggestion or motivation cited for combining features of the cited references so as to produce Appellants' invention, it is

respectfully submitted that claim 1 is allowable for at least these reasons. Therefore, Appellants respectfully submit that the 35 U.S.C. § 103(a) rejection should be withdrawn.

**Claim 2**

Claim 2 depends from claim 1 and further recites that the automated banking machine comprises at least one output device in operative connection with the computer. Claim 2 further recites the ability to have documents processed by at least two of the browsers produce outputs delivered simultaneously through the output device.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest an automated banking machine which includes a browser operating in a computer of the automated banking machine, which browser processes instructions in a document which causes operation of a transaction function device. Further, neither reference teaches or suggests an automated banking machine which includes a plurality of browsers operating in a computer of the automated banking machine. In addition, neither reference discloses or suggests the ability to have documents processed by at least two of the browsers produce outputs delivered simultaneously through the output device of an automated banking machine.

The Action (on page 4) apparently relies on Semple's printer and web display. However, nothing in Semple teaches or suggests simultaneously-delivered outputs from a printer and a display. Further, even the Action (on page 3) admits that Semple does not teach or suggest "a plurality of browsers." It follows that Semple cannot teach or suggest using multi browsers to process documents to produce simultaneously-delivered outputs. The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary

skill in the art to have modified Semple with the teaching of Sigona (which does not disclose or suggest a browser) to have produced the recited apparatus of claim 2.

**Claim 3**

Claim 3 depends from claim 2 and further recites that the output device includes a display. Claim 3 also recites that each of the two browsers provide outputs on separate portions of the display.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest that each of two browsers of an automated banking machine outputs on separate portions of a display device of the automated banking machine. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited apparatus of claim 3.

**Claim 4**

Claim 4 depends from claim 1 and further recites that the transaction function device is operated responsive to documents processed by a plurality of browsers.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest the ability to have documents processed by a plurality of browsers, nor the ability to operate a transaction function device responsive to such processing. Where do the references teach or suggest operating a transaction function device responsive to the processing of plural documents by plural browsers? The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple with Sigona to have produced the recited apparatus of claim 4.

### **Claim 11**

Claim 11 depends from claim 1 and further recites that the at least one document includes an HTML document.

As admitted in the Action (on page 3), Semple fails to teach an HTML document. Sigona also fails to teach an HTML document. Where does Sigona teach or suggest an HTML document, especially at relied upon col. 5, lines 50-67 and col. 6, lines 45-65? Furthermore, neither Semple nor Sigona, taken alone or in combination, teach or suggest the ability to have an HTML document processed by at least one browser of an automated banking machine, especially to cause a transaction function device to operate.

The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited apparatus.

### **Claim 12**

Claim 12 is an independent method claim. The method comprises (a) operating a plurality of browsers in a computer in operative connection with an automated banking machine; (b) operating a transaction function device in the banking machine responsive to at least one document processed by at least one of the browsers; and (c) delivering outputs through at least one output device in connection with the automated banking machine responsive to documents processed by at least two of the browsers.

Note Appellants' remarks in support of the patentability of claim 1. For reasons previously discussed (e.g., claim 1 remarks), neither Semple nor Sigona, taken alone or in combination, teach or suggest operating a plurality of browsers in a computer in operative

connection with an automated banking machine (step a). Nor do the references teach or suggest operating a transaction function device in a banking machine responsive to at least one document processed by at least one of the browsers (step b). Neither Semple nor Sigona link transaction function device operation to a browser-processed document, especially in relation with an automated banking machine. In addition, as shown in more detail herein, the references also do not teach or suggest delivering outputs through at least one output device in connection with the automated banking machine responsive to documents processed by at least two of the browsers (step c).

As previously discussed (e.g., claim 1 remarks), the references, taken alone or in combination, do not teach or suggest the recited "plurality of browsers." Even the Action (on page 3, last paragraph) admits that Semple does not teach or suggest a plurality of browsers. Further, as previously discussed (e.g., claim 1 remarks), the references, taken alone or in combination, do not teach or suggest operating a transaction function device in an automated banking machine responsive to at least one document processed by at least one of the "plurality of browsers." Where are the recited features, relationships, and steps taught or suggested in the relied upon references?

Sigona does not teach or suggest an automated banking machine; an automated banking machine with a transaction function device; a browser capable of processing a document; or a plurality of the browsers in the manner recited. Sigona is non analogous to both an automated banking machine and a document-processing browser. Sigona is non analogous art. It follows that the references, taken alone or in combination, do not teach or suggest the recited method. The Action has not established a *prima facie* case of obviousness.

Additionally, the references do not teach or suggest recited step (c). Neither Semple nor Sigona, taken alone or in combination, teach or suggest delivering outputs through at least one output device in connection with an automated banking machine responsive to documents processed by at least two of the "plurality of browsers." The Action is silent as to where recited step (c) is taught or suggested in the references. Nor do any of the cited references teach or suggest step (c). It follows that the alleged modification (if somehow possible) of Semple with the deficient teaching of Sigona (which is directed to virtual display) still would not have resulted in the claimed method. The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple as alleged to have produced the recited method of claim 12.

### **Claim 13**

Claim 13 depends from claim 12 and further recites that the automated banking machine includes a display device. In addition claim 13 recites that in step (c) outputs from at least two of the browsers are output through the display device.

The Action (on page 4) apparently relies on Semple's teaching. However, Semple does not teach or suggest having outputs from multiple browsers output through a display device. Further, even the Action (on page 3) admits that Semple does not teach or suggest "a plurality of browsers." It follows that the relied upon Semple cannot teach or suggest the recited step.

Nor can Sigona alleviate the deficiencies of Semple as it does not teach or suggest the recited features which are not found in Semple. The references do not teach or suggest outputting outputs from at least two browsers through a display device of an automated banking machine. Where do the references teach or suggest providing outputs from at least two browsers

through the same automated banking machine display device? The Office has not established a *prima facie* showing of obviousness.

**Claim 17**

Claim 17 depends from claim 12 and further recites that in step (b) a transaction function device is operated responsive to documents processed by a plurality of the browsers.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest operating an automated banking machine transaction function device responsive to documents processed by a plurality of browsers. The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited method of claim 17.

**Claim 19**

Claim 19 depends from claim 12 and further recites that at least one output is delivered through at least one output device responsive to at least one HTML document processed by at least one of the plural browsers.

As admitted in the Action (on page 3), Semple fails to teach an HTML document and plural browsers. Sigona fails to teach an HTML document and a browser that is operative to process an HTML document. Neither Semple nor Sigona, taken alone or in combination, teach or suggest that an output is delivered through at least one output device in connection with an automated banking machine responsive to at least one HTML document processed by at least one browser. The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited method of claim 19.

### **Claim 20**

Claim 20 depends from claim 12 and further recites that in the operating step the transaction function device includes a cash dispenser.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest operating a cash dispenser in an automated banking machine responsive to at least one document processed by at least one browser. The relied upon references do not teach or suggest operating a cash dispenser in response to a browser-processed document. As previously discussed, Semple does not link cash dispenser operation to a document processed by a browser. Semple does not teach or suggest cash dispensing being dependent on processing a document with a browser. Sigona is non analogous to both an automated banking machine and a document-processing browser. Neither Semple nor Sigona link transaction function device operation to browser processed document instructions, especially in relation with an automated banking machine. The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited method of claim 20.

### **Claim 21**

Claim 21 depends from claim 1 and further recites that the transaction function device includes a cash dispenser.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest a plurality of browsers operating in an automated banking machine computer, especially where the computer is operative to cause a cash dispenser to operate responsive to instructions in at least one document processed by at least one of the browsers. Where do the relied upon references teach or suggest

operating a cash dispenser in response to a browser-processed document? As previously discussed, Semple does not link cash dispenser operation to a document processed by a browser. Sigona is non analogous to both an automated banking machine and a document-processing browser. The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have modified Semple with Sigona as alleged to have produced the recited apparatus of claim 21.

### **Claim 22**

Claim 22 is an independent claim directed to an apparatus. Note Appellants' remarks in support of the patentability of claim 1. As previously discussed, the Action (on page 3, last paragraph) admits that Semple does not teach or suggest a plurality of browsers. Further, neither reference teaches or suggests operating a transaction function device responsive to at least one document processed by at least one instance of at least one browser. As previously discussed (e.g., claim 1 remarks), neither Semple nor Sigona link transaction function device operation to browser processed document instructions, especially in relation with an automated banking machine. Sigona is non analogous to both an automated banking machine and a document-processing browser. Sigona is non analogous art.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest an automated banking machine including a computer, where a plurality of transaction function devices (including a cash dispenser) are in operative connection with the computer, especially where the computer is operative to cause at least one transaction function device to operate responsive to instructions in at least one document processed by at least one instance of at least one browser. Where do the combined references teach or suggest a plurality of instances of at least one

browser simultaneously operating in an automated banking machine computer? Where do the combined references teach or suggest operating an automated banking machine transaction function device responsive to browser-processed document instructions? The references do not link transaction function device operation to automated banking machine browser-processed document instructions.

The Office does not factually support any *prima facie* conclusion of obviousness. The alleged modification (if somehow possible) of Semple with the deficient teaching of Sigona (which is directed to virtual display) would not have resulted in the claimed apparatus. Thus, it would not have been obvious to one having ordinary skill in the art to have modified Semple as alleged to have produced the recited apparatus of claim 22.

### **Claim 23**

Claim 23 depends from claim 22 and further recites the ability to have documents processed by at least two instances of at least one browser produce outputs delivered simultaneously through the at least one automated banking machine output device.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest the ability to have documents processed by at least two instances of at least one browser, especially documents that produce outputs delivered simultaneously through the at least one automated banking machine output device. The relied upon sections (Action at page 4, first full paragraph) of Semple are absent the recited features. Sigona is non analogous to both an automated banking machine and a document-processing browser. The Office has not established a *prima facie* showing of obviousness. Nor would the alleged modification to Semple have been obvious.

#### **Claim 24**

Claim 24 depends from claim 23 and further recites that at least one output device includes a display device.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest browser processed documents that produce outputs delivered simultaneously through at least one automated banking machine display device. The relied upon sections (Action at page 4, second full paragraph) of Semple are absent the recited features. Sigona is non analogous to both an automated banking machine and a document-processing browser. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited apparatus of claim 24.

#### **Claim 25**

Claim 25 depends from claim 22 and further recites that the at least one document includes an HTML document.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest an automated banking machine computer that is operative to cause at least one transaction function device to operate responsive to instructions in at least one HTML document processed by at least one instance of at least one browser. Neither Semple nor Sigona link transaction function device operation to browser processed HTML document instructions, especially in relation with an automated banking machine. The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited apparatus of claim 25.

### **Claim 26**

Claim 26 depends from claim 22 and further recites that the at least one document includes a markup language document.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest an automated banking machine computer that is operative to cause at least one transaction function device to operate responsive to instructions in at least one markup language document processed by at least one instance of at least one browser. Neither Semple nor Sigona link transaction function device operation to browser processed markup language document instructions, especially in relation with an automated banking machine. The Office has not established a *prima facie* showing of obviousness.

### **Claim 27**

Claim 27 depends from claim 22 and further recites that the at least one of the transaction function devices includes the cash dispenser.

Neither Semple nor Sigona, taken alone or in combination, teach or suggest an automated banking machine computer that is operative to cause a cash dispenser to operate responsive to instructions in at least one document processed by at least one instance of at least one browser. Where do the references link cash dispenser operation to browser processed document instructions, especially in relation with an automated banking machine? The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have modified Semple as alleged to have produced the recited apparatus of claim 27.

**The Pending Claims Are Not Obvious Over  
Semple in view of Sigona and Jheeta**

Claims 5 and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona and Jheeta. These rejections are respectfully traversed.

**Claim 5**

Claim 5 depends from claim 1 and further recites that the automated banking machine includes a card reader in operative connection with the computer. Also, the computer is operative to include card data read by the card reader in a transaction data object. Instructions in documents processed by a plurality of the browsers are operative to access the card data from the transaction data object.

In an exemplary embodiment (e.g., Appellants' Specification page 28) a record or transaction data object (104) includes the user's network address, the time, and other card data. This record in the exemplary embodiment may be stored in memory as data in an object in software. The transaction data object is preferably used to accumulate data as the transaction proceeds. The transaction data object provides persistence through what may be several different transaction steps executed by the customer. The ability to use and share the transaction data object data in a number of different operations avoids the need to derive it or obtain it from a customer more than once in the course of a user session involving a number of transaction steps.

Neither Semple nor Sigona nor Jheeta, taken alone or in combination, teach or suggest the recited features and relationships of a computer, card reader, transaction data object, browsers, and document instructions. The Action (on page 5) admits that Semple/Sigona does not teach or suggest the ability to include card data that is read by a card reader in a transaction data object,

and wherein instructions in documents processed by a plurality of the browsers are operative to access the card data from the transaction data object. Appellants respectfully submit that Jheeta cannot alleviate the admitted deficiencies of Semple/Sigona as it does not teach or suggest the recited features which are not found in Semple/Sigona.

The Action (on page 5) admits that Semple/Sigona does not teach or suggest a transaction data object. However, where does Jheeta teach or suggest a transaction data object? Where does Jheeta teach or suggest a computer that can include card data read in a transaction data object? Where does Jheeta teach or suggest that instructions in browser-processed documents can access the card data from the transaction data object? Jheeta does not teach or suggest the features admitted as absent in Semple/Sigona. The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with Jheeta as alleged to have produced the recited apparatus.

Nor do the references teach or suggest a link between a transaction data object and a card reader. The Action's reliance on Semple for a teaching of a card reader is without merit. The Action alleges that Semple's item (228) comprises a card reader. The Appellants respectfully disagree. The relied upon item (228) in Semple is actually a keyboard. The evidence of record does not show a keyboard card reader. It follows that the Action has failed to establish that Semple teaches a card reader.

The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple with the teaching of Sigona to have produced the recited apparatus of claim 5.

### **Claim 28**

Claim 28 depends from claim 22 and further recites that the at least one of the transaction function devices includes a card reader.

None of the references, taken alone or in combination, teach or suggest an automated banking machine computer that is operative to cause a card reader to operate responsive to instructions in at least one document processed by at least one instance of at least one browser. None of the references link card reader operation to browser processed document instructions, especially in relation with an automated banking machine.

The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Jheeta to have produced the recited apparatus of claim 28.

### **Claim 29**

Claim 29 depends from claim 28 and further recites that the computer is operative to include card data read by the card reader in a transaction data object, and that instructions in documents processed by at least two instances of the at least one browser are operative to access the card data from the transaction data object. Note Appellants' remarks in support of the patentability of claim 5 regarding a transaction data object.

None of Semple, Sigona, nor Jheeta, taken alone or in combination, teach or suggest the recited features and relationships of a computer, card reader, card data, transaction data object, at least two instances of the at least one browser, and document instructions. The Action (on page 5) admits that Semple/Sigona does not teach or suggest the ability to include card data read by a

card reader in a transaction data object, and wherein instructions in browser-processed documents are operative to access the card data from the transaction data object.

Appellants respectfully submit that Jheeta cannot alleviate the admitted deficiencies of Semple/Sigona as it does not teach or suggest the recited features which are not found in Semple/Sigona. For example, where does Jheeta teach or suggest a transaction data object? Where does Jheeta teach or suggest that instructions in browser-processed documents can access the card data from the transaction data object? Jheeta does not teach or suggest the features admitted as absent in Semple/Sigona.

The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Semple in the manner alleged to have produced the recited apparatus of claim 29.

#### **Claim 30**

Claim 30 depends from claim 28 and further recites that the computer is further operative to cause the cash dispenser to dispense cash responsive to accessed card data. Appellants respectfully submit that claim 30 appears to have a typographical error relating to its dependency. Appellants authorize the Examiner to make claim 30 dependent on claim 29, in accordance with 37 C.F.R. § 1.121(g).

Nevertheless, none of the references, taken alone or in combination, teach or suggest an automated banking machine computer that is operative to cause a cash dispenser to dispense cash responsive to card data accessed from a transaction data object. The Action (on page 5) admits that Semple/Sigona does not teach or suggest the ability to include card data in a transaction data object, or to access the card data from the transaction data object. Jheeta cannot alleviate the

admitted deficiencies of Semple/Sigona as it does not teach or suggest a transaction data object. The Office has not established a *prima facie* showing of obviousness.

**The Pending Claims Are Not Obvious Over  
Semple in view of Sigona and Bertram**

Claims 14-16 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona and Bertram. These rejections are respectfully traversed. Bertram, like Sigona, is non analogous to an automated banking machine. It follows that Sigona and Bertram are non analogous art.

**Claim 14**

Claim 14 depends from claim 12 and further recites that at least one document includes a show instruction. Prior to step (c) the method further comprises the step of reading the show instruction with a first browser. In step (c) an output responsive to a second browser is delivered responsive to reading the show instruction.

The Action (on page 7, last paragraph) admits that Semple/Sigona does not teach or suggest a document including a show instruction, nor causing an output responsive to reading the show instruction. The Action alleges the recited features to be well known and relies on the teachings of Bertram at col. 7, lines 20-35; col. 8, lines 1-12; col. 9, lines 1-15; and Figures 1A2, 1B1, 1B2. The Appellants respectfully disagree.

Bertram does not teach or suggest reading a show instruction in a first document with a first browser and, responsive to the show instruction reading, delivering an output (to an output device in connection with an automated banking machine) responsive to a second browser. The

Office has not established a *prima facie* showing of obviousness. None of the references, taken alone or in combination, teach or suggest the recited features, relationships, and steps. It would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Bertram to have produced the recited method of claim 14.

### **Claim 15**

Claim 15 depends from claim 12 and further recites that at least one document includes a size instruction. The method further comprises the step of reading the size instruction with a first browser. In step (c) an output responsive to a second browser is produced having a magnitude responsive to the size instruction.

The Action (on page 7, last paragraph) admits that Semple/Sigona does not teach or suggest a document including a size instruction, nor producing an output having a magnitude responsive to the size instruction responsive to a second browser. The Action alleges the recited features to be well known and relies on the teachings of Bertram at col. 7, lines 20-35; col. 8, lines 1-12; col. 9, lines 1-15; and Figures 1A2, 1B1, 1B2. The Appellants respectfully disagree.

Bertram does not teach or suggest a document that includes a size instruction as in the manner recited. Furthermore, none of the references teaches or suggests the step of reading a size instruction with a first browser. In addition, none of the references teaches or suggests producing an output having a magnitude responsive to the size instruction responsive to a second browser. Where is a prior art teaching or suggestion of the recited steps involving a document including a size instruction, reading the size instruction with a first browser, and producing an output having a magnitude responsive to the size instruction responsive to a second browser? None of the references, taken alone or in combination, teach or suggest the recited features,

relationships, and steps. It follows that it would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Bertram to have produced the recited method of claim 15.

#### **Claim 16**

Claim 16 depends from claim 13 and further recites that in step (c) a size of at least one output from a browser is determined responsive to other outputs. The Action (on page 8) admits that Semple/Sigona does not teach or suggest that a size of at least one output from a browser is determined responsive to other outputs. The Action relies on the teachings of Bertram at col. 7, lines 1-25 and 55-67; and col. 8, lines 1-10. However, Bertram does not teach or suggest the recited features. Nor would it have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Bertram to have produced the recited method.

#### **Claim 18**

Claim 18 depends from claim 12 and further recites that the automated banking machine includes a display device. In step (a) at least five browsers are operated in the machine. In step (c) outputs corresponding to documents processed by each of the five browsers are delivered through the display device.

The Action (on page 8) admits that Semple/Sigona does not teach or suggest the recited features. The Action relies on the teachings of Bertram at col. 7, lines 1-25 and 55-67; and col. 8, lines 1-10. However, Bertram does not teach or suggest an automated banking machine including at least five browsers. Where does Bertram disclose operating at least five browsers, especially in an automated banking machine? Where do the references teach or suggest delivering outputs, related to five browsers, through the same automated banking machine

display device? It follows that Bertram does not teach or suggest that outputs corresponding to documents processed by each of the five browsers are delivered through an automated banking machine display device. It further follows that the Office has not established a *prima facie* showing of obviousness.

**The Pending Claims Are Not Obvious Over  
Semple in view of Sigona, Murphy, and Bertram**

Claims 6-10 and 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Semple in view of Sigona, Murphy, and Bertram. These rejections are respectfully traversed. Murphy, like Sigona and Bertram, is non analogous to an automated banking machine. It follows that Sigona, Murphy, and Bertram are non analogous art.

**Claim 6**

Claim 6 depends from claim 1 and further comprises a plurality of servers in operative connection with a network. A first server is operative to deliver first documents and a second server is operative to deliver second documents. An automated banking machine computer is also in operative connection with the network. A first browser operating in the banking machine is operative to process the first documents from the first server and a second browser operating in the banking machine is operative to process the second documents from the second server.

The Action apparently relies on Semple for teaching an ATM computer in operative connection with a network. The Action (on page 6) admits that Semple/Sigona does not teach or suggest servers in connection with the network.

Murphy is relied on as allegedly teaching HTTP servers that deliver HTML documents throughout a network. Murphy is directed to an Internet system having a plurality of applications, a plurality of servers, and a plurality of client computers, each with a browser. However, neither Semple nor Murphy (nor the other references) teach or suggest a first automated banking machine browser that is operative to process first documents from a first server and a second automated banking machine browser that is operative to process second documents from a second server. Neither Sigona, Bertram, nor Murphy even teach or suggest an automated banking machine.

None of the references link an automated banking machine to a network, servers, and browsers. The Action is also silent as to how the system of Semple could be modified by the teachings of the secondary references to achieve the recited apparatus. Nor has any evidence been presented that Semple is structurally and functionally capable of being modified as alleged. None of the cited references includes a teaching, suggestion, or motivation to modify Semple in the manner alleged. In addition, none of the cited references includes a teaching, suggestion, or motivation to modify Semple to include browsers operating in the ATM to process documents from respective servers. It follows that it would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Murphy and Bertram to have produced the recited apparatus of claim 6.

#### **Claim 7**

Claim 7 depends from claim 6 and further recites that the automated banking machine includes a display device in operative connection with the computer. At least one of the first and second browsers is operative to cause a visible output through the display device.

None of Semple/Sigona, Murphy, or Bertram teach or suggest an automated banking machine with first and second browsers. As previously discussed, Semple/Sigona does not teach or suggest a plurality of browsers. The Action (on page 6, lines 8-12) admits that Semple/Sigona does not teach or suggest that one of first and second browsers is operative to cause a visible output through a display device. Murphy is relied on as allegedly teaching HTTP servers that deliver HTML documents throughout a network. However, none of the references, taken alone or in combination, teach or suggest an automated banking machine having browsers, where at least one of the browsers is operative to cause a visible output through a display device of the automated banking machine.

The Action is also silent as to how the system of Semple could be modified by the teachings of the secondary references to achieve the recited apparatus. Nor has any evidence been presented that Semple is structurally and functionally capable of being modified as alleged. Nor do the references include a teaching, suggestion, or motivation to modify Semple as alleged. It follows that it would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Murphy and Bertram to have produced the recited apparatus of claim 7.

### **Claim 8**

Claim 8 depends from claim 6 and further recites that at least one of the browsers is operative to produce a non-visible output. The non-visible output is operative to cause the computer to control operation of at least one transaction function device in the banking machine.

In an exemplary example (e.g., Appellants' Specification page 64), documents may include embedded instructions corresponding to non-visible outputs.

The Action (on page 6, lines 1-4) relies on Semple as allegedly teaching browsers, where one browser is operative to produce a non-visible output operative to cause a computer to control operation of a transaction function device. The Appellants respectfully disagree.

The Action specifically relies on Semple's teachings at col. 3, lines 25-44 and col. 5, lines 1-20. These relied upon sections of Semple relate to voice inputs, not non-visible outputs. That is, Semple's voice inputs do not constitute outputs, especially browser-produced outputs. Nor do Semple's voice inputs constitute browser-produced outputs that can cause a computer to control operation of a transaction function device in an automated banking machine.

None of the references, taken alone or in combination, teach or suggest a non-visible output produced by at least one browser that is operative to cause an automated banking machine computer to control operation of at least one transaction function device in the machine. The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have combined the references as alleged to have produced the recited apparatus of claim 8.

#### **Claim 9**

Claim 9 depends from claim 7 and further recites that at least one of the first documents includes at least one show instruction. The computer is operative responsive to the show instruction to cause a further visible output responsive to the second browser to be output through the display device.

The Action (on pages 6-7) admits that Semple/Sigona does not teach or suggest a document that includes a show instruction, nor a computer operative responsive to the show

instruction to cause a further visible output responsive to the second browser to be output through the display device.

As previously discussed (e.g., claim 7), none of the references, taken alone or in combination, teach or suggest an automated banking machine in which at least one of first and second browsers is operative to cause a visible output through a display device of the automated banking machine. Furthermore, none of the references, taken alone or in combination, teach or suggest a computer that is operative responsive to a show instruction in a first document processed by a first browser (e.g., claim 6) to cause a further visible output through the display device of an automated banking machine responsive to a second browser (e.g., claim 9).

The Action alleges show instructions to be well known and relies on the teachings of Bertram at col. 7, lines 20-35; col. 8, lines 1-12; col. 9, lines 1-15; and Figures 1A2, 1B1, 1B2. The Appellants respectfully disagree. Even if it were somehow possible (which it isn't) for Bertram to teach the recited show instruction features, where does Bertram teach or suggest a computer that is operative responsive to a show instruction to cause a further visible output responsive to a second browser to be output through a display device?

It would not have been obvious to one having ordinary skill in the art to have combined the references as alleged to have produced the recited apparatus of claim 9.

#### **Claim 10**

Claim 10 depends from claim 9 and further recites that at least one of the first documents includes at least one size instruction. The computer is operative responsive to the size instruction to size the further visible output.

The Action (on page 7) admits that Semple/Sigona does not teach or suggest a document that includes a size instruction, nor a computer that is operative responsive to the size instruction to size a further visible output. The Action relies on the teachings of Bertram. However, Bertram does not teach or suggest a document including a size instruction, nor a computer of an automated banking machine that is operative responsive to the size instruction to size a visible output. None of the references, taken alone or in combination, teach or suggest the recited features. Nor would it have been obvious to one having ordinary skill in the art to have modified Semple with the secondary teachings to have produced the recited apparatus of claim 10.

### **Claim 31**

Claim 31 depends from claim 22 and further recites that the automated banking machine further comprises at least one display device in operative connection with the computer. At least one first instance of the at least one browser is operative to process at least one first document that includes at least one show instruction. The computer is operative responsive to the at least one show instruction to cause a visible output, responsive to at least one second instance of the at least one browser, to be output through the display device.

None of the references, taken alone or in combination, teach or suggest an automated banking machine in which an instance of at least one browser is operative to process at least one document having a show instruction to cause a visible output, responsive to at least one second instance of the at least one browser, through a display device of an automated banking machine. The relied upon Bertram does not teach or suggest the recited features as alleged. It would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Murphy and Bertram to have produced the recited apparatus of claim 31.

### **Claim 32**

Claim 32 depends from claim 31 and further recites that the at least one first document includes at least one size instruction, and that the computer is operative responsive to the at least one size instruction to size the visible output. None of the references, taken alone or in combination, teach or suggest at least one document including at least one show instruction (e.g., claim 31) and at least one size instruction (e.g., claim 32).

The relied upon Bertram does not teach or suggest the recited show instruction and size instruction features as alleged, especially in conjunction with a display device of an automated banking machine. Nor has any evidence been presented that Semple is structurally and functionally capable of being modified to provide visible output using show instruction and size instruction features in the manner recited. It would not have been obvious to one having ordinary skill in the art to have modified Semple/Sigona with the teaching of Murphy and Bertram to have produced the recited apparatus of claim 32.

### **The Pending Claims Are Not Obvious Over Grant in view of Leon**

Claim 33 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Grant in view of Leon. This rejection is respectfully traversed.

### **Claim 33**

Claim 33 is an independent apparatus claim. Neither Grant nor Leon, taken alone or in combination, teach or suggest an automated banking machine including a computer, a plurality of transaction function devices in operative connection with the computer, at least one display

device in operative connection with the computer, and at least one instance of at least one browser operating in the computer, wherein the transaction function devices include a cash dispenser, wherein the computer is operative to cause at least one of the transaction function devices to operate responsive to instructions in at least one document processed by the at least one instance of the at least one browser, and wherein at least one document processed by the at least one instance of the at least one browser produces an output delivered through the at least one display device.

The Action (on page 9) admits that Grant does not teach or suggest at least one instance of at least one browser operating in a computer; at least one document processed by the at least one instance; and where at least one document processed by the at least one instance produces an output delivered through at least one display device. Appellants respectfully submit that Grant lacks more of the recited features than the Action admits. For example, Grant also does not teach or suggest the ability to cause at least one transaction function device to operate responsive to instructions in at least one document processed by at least one instance of at least one browser.

The Action alleges that Leon discloses automated teller machines that are "web-enabled so that browsers with their usual functionality operate the ATM machine and present a browser interface to the user." The Action further alleges that it would have been obvious to modify Grant with the teachings of Leon "to obtain the benefit of web-enabled ATM machine display interface to speed ATM transactions." The Appellants respectfully disagree. Leon does not teach or suggest the features attributed thereto by the Office. The Action's assertions are not based on any evidence in the record. *In re Zurko*, supra. *In re Lee*, supra.

Appellants respectfully submit that the Action takes the teaching of Leon out of context.

Where does Leon teach or suggest that browsers "operate" an ATM machine and present a browser interface to a user as alleged? Rather, Leon, as best understood, is directed to a TP monitoring program that monitors or tracks a transaction. Apparently, Top End (if similar to present day TP monitors) ensures that each monitored transaction either gets completed or is rolled back. Note the above description of the Leon reference. Leon also admits that Web standards like CGI cannot handle Top End class applications (page 1, second to last paragraph).

Leon teaches that Top End is also applicable to cash registers in the same manner as it is applicable to ATMs. Where does Leon teach or suggest that Top End controls cash registers? If a cash register cannot be controlled by Top End then neither can an ATM, as alleged. Where does Leon teach that Top End requires use of a browser operating in an ATM or cash register? Even Leon admits that NCR is still "trying to overcome" limitations "to enable" transactions over the Web. Thus, Leon is not capable of carrying out ATM transactions over the Web.

Leon does not teach or suggest the ability to cause at least one transaction function device to operate responsive to instructions in at least one document processed by at least one instance of at least one browser, especially where the at least one processed document produces an output delivered through a display device associated with an automated banking machine. Where does Leon link processing of at least one document (by at least one browser instance) to transaction function device operation and display output? It follows that Leon cannot alleviate the admitted and previously discussed deficiencies in Grant.

The Action is also silent as to how the system of Grant could be modified by the teachings of Leon to achieve the recited apparatus. Modification of Grant to have included

Leon's ability to monitor a transaction would not have resulted in the recited apparatus. Nor has any evidence been presented that Grant is structurally and functionally capable of being modified as set forth by the teaching of Leon, especially to produce the recited invention. The Action is devoid of a teaching, suggestion, or motivation to modify Grant to have produced the recited apparatus of claim 33. Grant has no need of a browser. Nor would it have been obvious to have modified Grant with a browser. It further would not have been obvious to have modified Grant with the ability to have at least one document processed by at least one instance of at least one browser, especially where the at least one processed document is operative to cause at least one transaction function device to operate and cause an output through at least one display device.

The attempts to combine the alleged teachings are clearly attempts at hindsight reconstruction of Appellants' claimed invention, which is legally impermissible and does not constitute a valid basis for a finding of obviousness. *In re Fritch*, supra. The rejections, which lack the necessary evidence and rationale, are based on knowledge gleaned only from Appellants' disclosure.

Leon does not teach or suggest the admitted and additionally discussed deficiencies in Grant. The Office does not factually support any *prima facie* conclusion of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified Grant (if somehow possible) with the TP-monitor of Leon to have produced the recited apparatus of claim 33. Therefore, Appellants respectfully submit that the 35 U.S.C. § 103(a) rejection should be withdrawn.

**The Pending Claims Are Not Obvious Over  
Grant in view of Leon and LaStrange**

Claims 34-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Grant in view of Leon and LaStrange. These rejections are respectfully traversed.

**Claim 34**

Claim 34 depends from claim 33 and further recites that the automated banking machine includes at least two instances of the at least one browser running simultaneously in the computer.

The Action (on page 10) admits that Grant/Leon does not teach or suggest at least two instances of the at least one browser running simultaneously in a computer. The Action (on page 11) alleges that LaStrange teaches multiple browsers and HTML documents on a display screen. The Appellants respectfully disagree.

LaStrange is directed to a method of displaying two or more pages on a computer display. LaStrange is non analogous to automated banking machines. LaStrange is non analogous art. It follows that LaStrange does not teach or suggest at least two instances of at least one browser running simultaneously in a computer of an automated banking machine. LaStrange also does not teach or suggest the ability to cause at least one transaction function device to operate responsive to instructions in at least one document processed by at least one instance of at least one browser, especially where the processed document produces an output delivered through a display device (e.g., claim 33).

The relied upon references do not teach or suggest the recited features and relationships.

It would not have been obvious to one having ordinary skill in the art to have modified Grant/Leon with the teaching of LaStrange to have produced the recited apparatus of claim 34.

### **Claim 35**

Claim 35 is an independent method claim. Note Appellants' remarks in support of the patentability of claim 33.

The Action (on page 10) admits that Grant/Leon does not teach or suggest steps (a), (b), or (c). Regarding step (a), the Action admits that Grant/Leon does not teach or suggest "simultaneously operating a plurality of instances of at least one browser." It follows that Grant/Leon cannot teach or suggest "simultaneously operating a plurality of instances of at least one browser in a computer in operative connection with an automated banking machine, wherein the automated banking machine includes a cash dispenser."

Regarding step (b), the Action admits that Grant/Leon does not teach or suggest "operating a transaction function responsive to at least one document processed by at least one of the instances of the at least one browser." It follows that Grant/Leon cannot teach or suggest "operating a transaction function device in the automated banking machine responsive to at least one document processed by at least one of the instances of the at least one browser." Where does Grant/Leon teach or suggest operating a transaction function device in an automated banking machine responsive to at least one document processed by at least one of the simultaneously operated instances of the at least one browser?

Regarding step (c), the Action admits that Grant/Leon does not teach or suggest "at least one document processed by at least one of the instances of the at least one browser." It follows

that Grant/Leon cannot teach or suggest "delivering outputs through at least one output device in connection with the automated banking machine responsive to at least one document processed by at least one of the instances of the at least one browser." Where does Grant/Leon teach or suggest delivering outputs through at least one output device in connection with the automated banking machine responsive to at least one document processed by at least one of the simultaneously operated instances of the at least one browser?

LaStrange is directed to a method of displaying two or more pages on a computer display. LaStrange is non analogous to an automated banking machine with a cash dispenser. LaStrange is non analogous art. LaStrange cannot alleviate the admitted and previously discussed deficiencies of Grant/Leon. Where does LaStrange teach or suggest recited steps (a), (b), or (c)? Regarding step (a), where does LaStrange teach or suggest simultaneously operating a plurality of instances of at least one browser in a computer in operative connection with an automated banking machine including a cash dispenser? Regarding step (b), where does LaStrange teach or suggest operating an automated banking machine transaction function device responsive to at least one document processed by at least one of simultaneous instances of at least one browser? Regarding step (c), where does LaStrange teach or suggest delivering outputs through at least one output device in connection with the automated banking machine responsive to at least one document processed by at least one of the simultaneous instances of the at least one browser? Where does LaStrange link processing of at least one document (by at least one browser instance) to both operation of an automated banking machine transaction function device and delivery of output through at least one output device in connection with the automated banking machine?

Neither Grant/Leon nor LaStrange, taken alone or in combination, teach or suggest both operating an automated banking machine transaction function device and delivering outputs through at least one output device (in connection with the automated banking machine) responsive to at least one document processed by at least one of simultaneous instances of at least one browser. Where is the (absent) prior art teaching or suggestion of operating an automated banking machine transaction function device responsive to a browser-processed document? Where is the (absent) prior art teaching or suggestion of delivering outputs through an output device in connection with the automated banking machine responsive to a browser-processed document? Where is the prior art teaching or suggestion of the combination of these features?

The Action's assertions are not based on any evidence in the record. An assertion of knowledge not based on any evidence in the record lacks substantial evidence support. *In re Zurko*, supra. The determination of patentability must be based on evidence of record. *In re Lee*, supra. The Office does not factually support any *prima facie* conclusion of obviousness.

The Action is also silent as to how the combination of Grant/Leon could be modified by the teaching of LaStrange to achieve the recited method. The attempts to combine the alleged teachings are clearly attempts at hindsight reconstruction of Appellants' claimed invention, which is legally impermissible and does not constitute a valid basis for a finding of obviousness. *In re Fritch*, supra. The rejections, which lack the necessary evidence and rationale, are based on knowledge gleaned only from Appellants' disclosure. There is no teaching, suggestion, or motivation cited so as to produce Appellants' claimed invention.

As previously discussed, none of the relied upon references, taken alone or in combination, teach or suggest the features, relationships, and steps that are specifically recited in method claim 35. The applied prior art is devoid of any such teaching, suggestion, or motivation for combining features of the references so as to produce the recited method. Even if it were somehow possible (which it isn't) for the references to be combined as alleged, the resultant combination still would not have resulted in the recited method. Therefore, Appellants respectfully submit that the 35 U.S.C. § 103(a) rejection should be withdrawn.

### **Claim 36**

Claim 36 depends from claim 35 and further recites that step (c) includes simultaneously delivering outputs through the at least one output device in connection with the automated banking machine responsive to at least one document processed by at least two of the instances of the at least one browser.

The Action is silent as to a prior art teaching or suggestion of the recited features. Thus, the Office has not established a *prima facie* showing of obviousness. The references are devoid of any such teaching, suggestion, or motivation for combining features of the references so as to produce the recited method. Even if it were somehow possible (which it isn't) for the references to be combined as alleged, the resultant combination still would not have resulted in the recited method of claim 36.

### **Claim 37**

Claim 37 depends from claim 36 and further recites that in step (c) the at least one output device includes a display device. Neither of the references, taken alone or in combination, teach or suggest simultaneously delivering outputs through at least one display device in connection

with the automated banking machine responsive to at least one document processed by at least two of instances of at least one browser. Where do the references teach or suggest the recited features, relationships, and steps? Nor would it have been obvious to one having ordinary skill in the art to have modified Grant/Leon with the teaching of LaStrange as alleged to have produced the recited method of claim 37.

### **Claim 38**

Claim 38 depends from claim 35 and further recites that in step (b) the at least one document includes an HTML document.

None of the references (including the relied upon LaStrange), taken alone or in combination, teach or suggest operating a transaction function device in an automated banking machine responsive to at least one HTML document processed by at least one instance of at least one browser. None of the references link transaction function device operation to at least one browser-processed HTML document, especially in relation with an automated banking machine. The Office has not established a *prima facie* showing of obviousness. It would not have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the method of claim 38.

### **Claim 39**

Claim 39 depends from claim 35 and further recites that in step (b) the at least one document includes a markup language document.

None of the references, taken alone or in combination, teach or suggest operating a transaction function device in an automated banking machine responsive to at least one markup language document processed by at least one instance of at least one browser. None of the

references link transaction function device operation to at least one browser-processed markup language document, especially in relation with an automated banking machine. Where do the relied upon references teach or suggest the recited features, relationships, and steps? The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the recited method of claim 39.

#### **Claim 40**

Claim 40 depends from claim 35 and further recites that in step (b) the at least one transaction function device includes the cash dispenser.

None of the references, taken alone or in combination, teach or suggest operating a cash dispenser in an automated banking machine responsive to at least one document processed by at least one instance of at least one browser. None of the references link cash dispenser operation to at least one browser-processed document, especially in relation with an automated banking machine. Where do the relied upon references teach or suggest the recited features, relationships, and steps? The Office has not established a *prima facie* showing of obviousness.

#### **Claim 41**

Claim 41 depends from claim 35 and further recites that in step (b) the at least one transaction function device includes a card reader.

None of the references, taken alone or in combination, teach or suggest operating a card reader in an automated banking machine responsive to at least one document processed by at least one instance of at least one browser. None of the references link card reader operation to at least one browser-processed document, especially in relation with an automated banking

machine. The Action is silent regarding an automated banking machine card reader. Where do the relied upon references teach or suggest the recited features, relationships, and steps? The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the recited method of claim 41.

#### **Claim 42**

Claim 42 depends from claim 41 and further recites the steps of (d) reading card data with the card reader; (e) storing the card data in a transaction data object; and (f) accessing the data stored in the transaction data object with at least two instances of the at least one browser responsive to instructions in documents processed by the at least two instances of the at least one browser.

The Action (on page 10, lines 9-12) admits that Grant/Leon does not teach or suggest step (f). The Action is silent as to a prior art teaching or suggestion of the recited step (f). Appellants respectfully submit that none of the references, taken alone or in combination, teach or suggest a transaction data object. Note Appellants' remarks in support of the patentability of claim 5 regarding an exemplary embodiment involving a transaction data object. Where do the references teach or suggest a transaction data object? The Office has not established a *prima facie* showing of obviousness.

None of the references, taken alone or in combination, teach or suggest the recited features, relationships, and steps involving a computer, automated banking machine cash dispenser, automated banking machine card reader, card data, transaction data object, at least two instances of at least one browser, at least one document, and document instructions. Further, the

references are devoid of any such teaching, suggestion, or motivation for combining features of the references so as to produce the recited method. It would not have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the method of claim 42.

**Claim 43**

Claim 43 depends from claim 42 and further recites the step of (g) causing the cash dispenser to dispense cash responsive to the accessed card data. The Action is silent as to a prior art teaching or suggestion of the recited step (g). Appellants respectfully submit that none of the references, taken alone or in combination, teach or suggest accessing card data stored in a transaction data object with at least two instances of at least one browser responsive to instructions in documents processed by the at least two instances of the at least one browser, and further causing an automated banking machine cash dispenser to dispense cash responsive to the accessed card data. Again, the Office has not established a *prima facie* showing of obviousness. Again, it would not have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the recited method.

**Claim 44**

Claim 44 depends from claim 35 and further recites that at least one document includes a show instruction, and prior to step (c) further comprising the step of reading the show instruction with a first instance of the at least one browser, and wherein in step (c) an output responsive to a second instance of the at least one browser is delivered responsive to reading the show instruction with the first instance of the at least one browser.

The Action admits (on page 10, lines 13-17) that Grant/Leon does not teach or suggest the recited step. The Action alleges that LaStrange discloses show instruction features which are inherent in browser technology. However, LaStrange does not explicitly or inherently teach a document including a show instruction, as alleged. Where is a show instruction in a document "necessarily present" or a necessity in LaStrange? The Action's assertions are not based on any evidence in the record, and are thus without merit. *In re Zurko*, supra. *In re Lee*, supra.

The Appellants respectfully disagree that LaStrange teaches the features admitted as absent in Grant/Leon. Even if the Office somehow showed that show instructions were inherent in browser technology as alleged, where does LaStrange teach reading a document show instruction with a first instance of at least one browser, and responsive thereto delivering an output through at least one output device in connection with an automated banking machine responsive to a second instance of the at least one browser? The Office has not established a *prima facie* showing of obviousness. None of the references, taken alone or in combination, teach or suggest the recited method. Nor would it have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the recited method.

#### **Claim 45**

Claim 45 depends from claim 35 and further recites that at least one document includes a size instruction, and further comprising the step of reading the size instruction with a first instance of the at least one browser, wherein in step (c) an output responsive to a second instance of the at least one browser is produced having a magnitude responsive to the size instruction.

The Action admits (on page 10, last paragraph) that Grant/Leon does not teach or suggest the recited step. The Action alleges that LaStrange discloses size instruction features which are

inherent in browser technology. However, LaStrange does not explicitly or inherently teach a document including a size instruction, as alleged. Where is a size instruction in a document "necessarily present" or a necessity in LaStrange? The Action's assertions are not based on any evidence in the record, and are thus without merit. *In re Zurko*, supra. *In re Lee*, supra.

The Appellants respectfully disagree that LaStrange teaches the features admitted as absent in Grant/Leon. Even if the Office somehow showed that size instructions were inherent in browser technology as alleged, where does LaStrange teach reading a document size instruction with a first instance of at least one browser, and producing an output having a magnitude responsive to the size instruction responsive to a second instance of the at least one browser? The Office has not established a *prima facie* showing of obviousness. None of the references, taken alone or in combination, teach or suggest the recited method. Nor would it have been obvious to one having ordinary skill in the art to have modified the references as alleged to have produced the recited method of claim 45.

## CONCLUSION

Each of Appellants' pending claims specifically recites features and relationships that are neither disclosed nor suggested in any of the applied art. Furthermore, the applied art is devoid of any teaching, suggestion, or motivation for combining features of the applied art so as to produce the recited invention. For these reasons it is respectfully submitted that all the pending claims are allowable.

Respectfully submitted,

Ralph E. Jockey  
WALKER & JOCKE  
231 South Broadway  
Medina, Ohio 44256  
(330) 721-0000



## APPENDIX

### CLAIMS

1. An apparatus comprising:  
  
an automated banking machine including a computer and at least one transaction function device in operative connection with the computer, and a plurality of browsers operating in the computer, wherein the computer is operative to cause the transaction function device to operate responsive to instructions in at least one document processed by at least one of the browsers.
2. The apparatus according to claim 1 wherein the automated banking machine further comprises at least one output device in operative connection with the computer, and wherein documents processed by at least two of the browsers produce outputs delivered simultaneously through the output device.
3. The apparatus according to claim 2 wherein the output device includes a display, and wherein each of the two browsers outputs on separate portions of the display.
4. The apparatus according to claim 1 wherein the transaction function device is operated responsive to documents processed by a plurality of browsers.

5. The apparatus according to claim 1 wherein the automated banking machine includes a card reader in operative connection with the computer, wherein the computer is operative to include card data read by the card reader in a transaction data object, and wherein instructions in documents processed by a plurality of the browsers are operative to access the card data from the transaction data object.

6. The apparatus according to claim 1 and further comprising:

a network, wherein the computer of the automated banking machine is in operative connection with the network;

a plurality of servers in operative connection with the network, wherein a first server is operative to deliver first documents and a second server is operative to deliver second documents;

and wherein a first browser operating in the banking machine is operative to process the first documents from the first server and a second browser operating in the banking machine is operative to process the second documents from the second server.

7. The apparatus according to claim 6 wherein the automated banking machine includes a display device in operative connection with the computer, wherein at least one of the first and second browsers is operative to cause a visible output through the display device.
8. The apparatus according to claim 6 wherein at least one of the browsers is operative to produce a non-visible output, wherein the non-visible output is operative to cause the computer to control operation of at least one transaction function device in the banking machine.
9. The apparatus according to claim 7 wherein at least one of the first documents includes at least one show instruction, and wherein the computer is operative responsive to the show instruction to cause a further visible output responsive to the second browser to be output through the display device.
10. The apparatus according to claim 9 wherein at least one of the first documents includes at least one size instruction, and wherein the computer is operative responsive to the size instruction to size the further visible output.
11. The apparatus according to claim 1 wherein the at least one document includes an HTML document.

12. A method comprising:
  - a) operating a plurality of browsers in a computer in operative connection with an automated banking machine;
  - b) operating a transaction function device in the banking machine responsive to at least one document processed by at least one of the browsers;
  - c) delivering outputs through at least one output device in connection with the automated banking machine responsive to documents processed by at least two of the browsers.
13. The method according to claim 12 wherein the automated banking machine includes a display device, and wherein in step (c) outputs from at least two of the browsers are output through the display device.
14. The method according to claim 12 wherein at least one document includes a show instruction, and prior to step (c) further comprising the step of reading the show instruction with a first browser, and wherein in step (c) an output responsive to a second browser is delivered responsive to reading the show instruction.

15. The method according to claim 12 wherein at least one document includes a size instruction, and further comprising the step of reading the size instruction with a first browser, wherein in step (c) an output responsive to a second browser is produced having a magnitude responsive to the size instruction.
16. The method according to claim 13 wherein in step (c) a size of at least one output from a browser is determined responsive to other outputs.
17. The method according to claim 12 wherein in step (b) a transaction function device is operated responsive to documents processed by a plurality of the browsers.
18. The method according to claim 12 wherein the automated banking machine includes a display device, and wherein in step (a) at least five browsers are operated in the machine, and wherein in step (c) outputs corresponding to documents processed by each of the five browsers are delivered through the display device.
19. The method according to claim 12 wherein in the delivering step at least one output is delivered through at least one output device responsive to at least one HTML document processed by at least one of the browsers.
20. The method according to claim 12, wherein in the operating step the transaction function device includes a cash dispenser.

21. The apparatus according to claim 1, wherein the transaction function device includes a cash dispenser.
22. An apparatus comprising:
  - an automated banking machine including a computer, a plurality of transaction function devices in operative connection with the computer, and a plurality of instances of at least one browser simultaneously operating in the computer, wherein the transaction function devices include a cash dispenser, wherein the computer is operative to cause at least one of the transaction function devices to operate responsive to instructions in at least one document processed by at least one instance of the at least one browser.
23. The apparatus according to claim 22, wherein the automated banking machine further comprises at least one output device in operative connection with the computer, and wherein documents processed by at least two instances of the at least one browser produce outputs delivered simultaneously through the at least one output device.
24. The apparatus according to claim 23, wherein the at least one output device includes a display device.

25. The apparatus according to claim 22, wherein the at least one document includes an HTML document.
26. The apparatus according to claim 22, wherein the at least one document includes a markup language document.
27. The apparatus according to claim 22, wherein the at least one of the transaction function devices includes the cash dispenser.
28. The apparatus according to claim 22, wherein the at least one transaction function devices includes a card reader.
29. The apparatus according to claim 28, wherein the computer is operative to include card data read by the card reader in a transaction data object, and wherein instructions in documents processed by at least two instances of the at least one browser are operative to access the card data from the transaction data object.
30. The apparatus according to claim 28, wherein the computer is further operative to cause the cash dispenser to dispense cash responsive to the accessed card data.
31. The apparatus according to claim 22, wherein the automated banking machine further comprises at least one display device in operative connection with the computer, wherein

at least one first instance of the at least one browser is operative to process at least one first document, wherein the at least one first document includes at least one show instruction, and wherein the computer is operative responsive to the at least one show instruction to cause a further visible output responsive to at least one second instance of the at least one browser to be output through the display device.

32. The apparatus according to claim 31, wherein the at least one first document includes at least one size instruction, and wherein the computer is operative responsive to the at least one size instruction to size the further visible output.
33. An apparatus comprising:

an automated banking machine including a computer, a plurality of transaction function devices in operative connection with the computer, at least one display device in operative connection with the computer, and at least one instance of at least one browser operating in the computer, wherein the transaction function devices include a cash dispenser, wherein the computer is operative to cause at least one of the transaction function devices to operate responsive to instructions in at least one document processed by the at least one instance of the at least one browser, and wherein at least one document processed by the at least one instance of the at least one browser produces an output delivered through the at least one display device.

34. The apparatus according to claim 33 wherein the automated banking machine includes at least two instances of the at least one browser running simultaneously in the computer.
35. A method comprising:
- a) simultaneously operating a plurality of instances of at least one browser in a computer in operative connection with an automated banking machine, wherein the automated banking machine includes a cash dispenser;
  - b) operating a transaction function device in the automated banking machine responsive to at least one document processed by at least one of the instances of the at least one browser;
  - c) delivering outputs through at least one output device in connection with the automated banking machine responsive to at least one document processed by at least one of the instances of the at least one browser.
36. The method according to claim 35, wherein step (c) includes simultaneously delivering outputs through the at least one output device in connection with the automated banking machine responsive to at least one document processed by at least two of the instances of the at least one browser.

37. The method according to claim 36, wherein in step (c) the at least one output device includes a display device.
38. The method according to claim 35, wherein in step (b) the at least one document includes an HTML document.
39. The method according to claim 35, wherein in step (b) the at least one document includes a markup language document.
40. The method according to claim 35, wherein in step (b) the at least one transaction function device includes the cash dispenser.
41. The method according to claim 35, wherein in step (b) the at least one transaction function device includes a card reader.
42. The method according to claim 41, further comprising:
  - d) reading card data with the card reader;
  - e) storing the card data in a transaction data object; and

f) accessing the data stored in the transaction data object with at least two instances of the at least one browser responsive to instructions in documents processed by the at least two instances of the at least one browser.

43. The method according to claim 42, further comprising:

g) causing the cash dispenser to dispense cash responsive to the accessed card data.

44. The method according to claim 35, wherein the at least one document includes a show instruction, and prior to step (c) further comprising the step of reading the show instruction with a first instance of the at least one browser, and wherein in step (c) an output responsive to a second instance of the at least one browser is delivered responsive to reading the show instruction with the first instance of the at least one browser.

45. The method according to claim 35, wherein the at least one document includes a size instruction, and further comprising the step of reading the size instruction with a first instance of the at least one browser, wherein in step (c) an output responsive to a second instance of the at least one browser is produced having a magnitude responsive to the size instruction.